

# In The United States Court of Federal Claims

No. 11-711C

(Filed: August 16, 2012)

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MODERN IMAGING SOLUTIONS,  
INC.,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

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## ORDER

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Today, the court held a telephonic oral argument on defendant's motion to dismiss plaintiff's complaint. For the reasons provided at the conclusion of that argument, defendant's motion is hereby **DENIED**. Accordingly:

1. On or before August 31, 2012, plaintiff shall file a motion to amend its complaint; and
2. On or before September 18, 2012, the parties shall file a joint status report indicating how this case should proceed, along with a proposed schedule for discovery.

**IT IS SO ORDERED.**

s/ Francis M. Allegra

Francis M. Allegra

Judge